

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DALE ROBINSON,

Plaintiff

v.

RICCARDO'S MARKET, INC.,
et al.,

Defendants

CIVIL NO. 3:20-CV-0396

Magistrate Judge Saporito

FILED
WILKES BARRE
DEC 10 2020
PER *MS*
DEPUTY CLERK

ORDER

The plaintiff, through counsel, filed this civil rights action pursuant to 28 U.S.C. § 1983 on March 6, 2020 (Doc. 1). An amended answer to the complaint, with new matter and crossclaim, was filed on July 2, 2020. (Doc. 21). A case management conference was conducted by the Court on August 25, 2020, and a scheduling order was issued on that same date (Doc. 31).

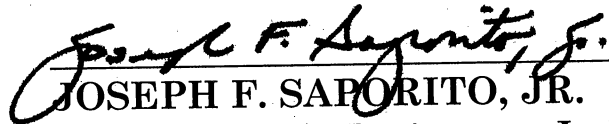
On December 4, 2020, counsel for plaintiff filed a praecipe for discontinuance. (Doc. 33).

Under Rule 41(a)(2) of the Federal Rules of Civil Procedure, "an action may be dismissed at the plaintiff's request only by court order, on terms that the court considers proper."

We shall construe plaintiff's filing of December 4, 2020 (Doc. 33) as a Notice of Dismissal under Rule 41(a)(2) of the Federal Rules of Civil Procedure.

Therefore, this 10th day of December, 2020, in accordance with the foregoing, it is **HEREBY ORDERED** as follows:

1. Plaintiff's Doc. 33 filing is construed as a Notice of Dismissal under Rule 41(a)(2) of the Federal Rules of Civil Procedure.
2. This action is DISMISSED without prejudice.
3. The Clerk of Court shall mark this case as CLOSED.


JOSEPH F. SAPORITO, JR.
United States Magistrate Judge